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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/605,164	09/12/2003	Chuan-Yu Hsu	10751-US-PA	2163
43831 7590 10/26/2007 BERKELEY LAW & TECHNOLOGY GROUP, LLP 17933 NW Evergreen Parkway, Suite 250 BEAVERTON, OR 97006			EXAMINER LEE, CHEUKFAN	
			ART UNIT 2625	PAPER NUMBER
			MAIL DATE 10/26/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/605,164	HSU ET AL.	
	Examiner	Art Unit	
	Cheukfan Lee	2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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1. Claims 1-10 are pending. Claim 1 is independent.

2. The specification is objected to because of the following:

paragraph 0006, shouldn't "clap 24" and "clapped" be – clip 24 – and – clipped --

?

Paragraph 0012, line 4, "charge couple device" should read – charge-coupled device --, a standard term in the art.

Please also check for other minor errors through out the specification.

3. Claims 9 and 10 are objected to because of the following:

In claim 9, "a charge couple device" should read – a charge-coupled device --, a standard term in the art.

In claim 10, "florescent" should read – fluorescent --.

4. Claim 10 is rejected under 35 U.S.C. 112, first paragraph, because the specification, while being enabling for a light source comprising a cold cathode fluorescent lamp (CCFL) or a light emitting diode array (see paragraph 0012, the last three lines), does not reasonably provide enablement for a light source comprising a CCFL and an LED array (see claim 10). The specification does not enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make the invention commensurate in scope with this claim.

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5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant's admitted prior art in view of Kerschner (U.S. Patent No. 6,098,947).

Regarding claim 1, Applicant's admitted prior art optical scanning module comprises an optical scanning module suitable for scanning a document, comprising an outer cover (110) having an opening (Fig. 1), a plurality of fixing elements (mirror support holders 122 and clips 124) disposed on an inner wall of the outer cover (110), a plurality of reflecting mirrors (130) disposed within the outer cover by using the fixing elements (124), a lens (150) disposed within the outer cover (110), an image capturing device (160) disposed within the outer cover (110), and a light source (170) disposed on the outer cover (110), wherein a light emitted by the light source (170) is reflected by the document (50), and the reflected light is sequentially transmitted to the reflecting mirrors (130), the lens (150) and the image capturing device (160).

Applicant prior art scanning module does not comprise a plurality of buffer pads disposed in between the fixing elements (124) and the reflecting mirrors (130) as claimed.

Kerschner discloses an optical mirror mounting system for a document scanner, the mounting system having a plurality of buffer pads (pads 38) disposed between fixing elements (30) and a mirror (Figs. 1 and 7, col. 5, line 32 – col. 6, line 25).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the concept of Kerschner to employ a plurality of buffer pads and dispose the pads in between the fixing elements (124) and the reflecting mirrors (130) of the scanning module of Applicant's prior art to protect the reflecting mirrors.

Regarding claim 2, each of the fixing elements (mirror support holders 122 and clips 124) of Applicant's prior art scanning module further comprises a reflecting mirror supporting holder (122) and a clip (124) (Figs. 1-2B). Based on the discussion and reason of obviousness given above for claim 1, one of ordinary skill in the art would have realized that the clip (124) is for clipping the reflecting mirror (130) and the buffer pad (38 of Kerschner) on the reflecting mirror supporting holder (122).

Regarding claim 3, the clip (124) of Applicant's prior art module has a crooked portion (124a). Based on the discussions and reasons of obviousness given above for claims 1 and 2, one of ordinary skill in the art would have realized that the crooked portion (124a) of the clip (124) is for fastening the buffer pad.

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Regarding claim 4, Applicant's reflecting mirror supporting holder (122) is manufactured as an integrative unit on the inner wall of the outer cover (110) (see Applicant's specification, paragraph 0006, the last three lines).

Regarding claim 5, each of the fixing elements (mirror support holders 122 and clips 124) comprises a reflecting mirror supporting holder (122) and a clip (124) disposed on the reflecting mirror supporting holder (122) for clipping the reflecting mirror and the mirror supporting holder (122). Based on the discussion and reason of obviousness given above for claim 1, one of ordinary skill in the art would have realized that the clip (124) is for clipping the mirror (130) and the buffer pad (38 of Kerschner) together with the reflecting mirror supporting holder (122).

For claims 6 and 7, see discussions for claims 3 and 4, respectively, for claiming the limitations of claims 3 and 4, respectively.

7. Claims 8-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant's admitted prior art in view of Kerschner (U.S. Patent No. 6,098,947) as applied to claim 1 above, and further in view of well known art.

The optical scanning module of Applicant's admitted prior art in view of Kerschner is discussed above for claim 1.

Regarding claim 8, Kerschner discloses in an embodiment that the buffer pads (pads 38) are made of a material different from metals or plastic (the types of material that can be used to make the frame assembly or the support) (col. 6, lines 8-10). Kerschner does not disclose employing a silicone or a sponge as material for the pads (38). However, the examiner took Official Notice of the fact that silicone and sponge are two kinds of inexpensive, protective material for pads. It would have been obvious to one of ordinary skill in the art at the time the invention was made to employ either a silicone or a sponge as the protective material of the pad.

Regarding claim 9, Applicant's prior art scanning module (Fig. 1) comprises an image capturing device (160). Applicant does not disclose a charge-coupled device (CCD). However, the examiner took Official Notice of the fact that employing a CCD as an image capturing device to obtain relatively high quality image data is a well known concept in the art of original scanners. It would have been obvious to one of ordinary skill in the art at the time the invention was made to employ a CCD as the image capturing device to obtain high quality image data.

Regarding claim 10, Applicant's prior art does not specify the type of light source (170) (Fig. 1 and paragraph 0006). The light source (170) shown in Fig. 1 has a tube shape, which is the shape of a cold cathode fluorescent lamp (CCFL). The examiner took Official Notice of the fact that employing a CCFL as a light source in a scanning module is not a novel but a well known concept of providing adequate amount of light

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for illuminating an original. It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the well known concept to employ a CCFL as the light source in the scanning module of Applicant's prior art in view of Kerschner to provide adequate amount of light for illuminating the original.

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Tseng et al. (US 6,703,604)

Huang et al. (US 7,242,502)

Fang (US 6,619,807), Fig. 2

Hsu et al. (Patent Application Publication No. US 2002/0145762 A1)

Hsu et al. (Patent Application Publication No. US 2003/0164894 A1)

Huang et al. (Patent Application Publication No. US 2003/0030854 A1)

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cheukfan Lee whose telephone number is (571) 272-7407. The examiner can normally be reached on 9:30 a.m. to 6:00 p.m., Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L. Coles can be reached on (571) 272-7402. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Cheukfan Lee
August 29, 2007